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15 IN THE UNITED STATES DISTRICT COURT

16 FOR THE DISTRICT OF ALASKA

17 SAMSON TUG AND BARGE CO., INC., an 18 Alaska Corporation 19 Plaintiff/Appellant 20 v. 21 UNITED STATES OF AMERICA, 22 acting by and through 23 the UNITED STATES DEPARTMENT of the 24 NAVY MILITARY SEALIFT COMMAND, 25 and UNITED STATES DEPARTMENT OF THE ARMY MILITARY TRAFFIC MANAGEMENT COMMAND Defendants/Appellees	17) Civil No. A03-006 CV 18) } IN ADMIRALTY 19) } 20) DECLARATION OF 21) JEANNE M. FRANKEN 22) IN SUPPORT OF ITS REPLY TO 23) PLAINTIFF'S OPPOSITION 24) TO THE GOVERNMENT'S 25) MOTIONS IN LIMINE
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26 I, Jeanne M. Franken, do hereby declare and affirm the following matters in support
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28 DECLARATION OF JEANNE M. FRANKEN
 IN SUPPORT OF REPLY

1 of defendant's reply to the plaintiff's opposition to the Government's motions *in limine*
2 regarding witnesses:

3 1. I am a Trial Attorney with the West Coast Office of the Torts Branch, Civil
4 Division, United States Department of Justice, and one of the attorneys for defendant, United
5 States of America, herein, and make this declaration based on information and belief.

6 2. I have knowledge of the matters asserted herein.

7 3. Attached to the reply as "A" is a true and correct copy of a Notice of
8 Examination for two individual deponents, which I served on plaintiff in July of 2006, and
which was marked as Exhibit 25 when those depositions were convened.

9 4. Attached to the reply as "B" is a true and correct copy of a Notice of
10 Examination for two additional individual deponents, which I served on plaintiff in August
11 of 2006, and which was marked as Exhibit 71 when those depositions were convened.

12 I hereby verify under penalty of perjury, and in accordance with 28 U.S.C. §1746, that
13 the foregoing is true and correct.

14 Executed this 24th day of April, 2008.

16 /s/ Jeanne M. Franken
17 JEANNE M. FRANKEN

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 24, 2008, a copy of the foregoing DECLARATION OF JEANNE M. FRANKEN IN SUPPORT OF REPLY, was served electronically on:

Richard D. Gluck, Esq.
Garvey Schubert Barer

William G. Royce, Esq.
Law Office of William G. Royce

Attorneys for Plaintiff/Appellant
Samson Tug and Barge Company, Inc.

s/Jeanne M. Franken

JEANNE M. FRANKEN